



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
WWW.USPTO.GOV

Paper No. None

Ephraim Starr, Division General Counsel,  
Honeywell International, Inc.  
Suite #200  
23326 Hawthorne Boulevard  
Torrance CA 90505

**COPY MAILED**

**APR 01 2004**

**OFFICE OF PETITIONS**

In re Application of :  
Steven Don Arnold et al. :  
Application No. 10/661,810 : DECISION ON PETITION UNDER  
Filing Date: September 12, 2003 : 37 C.F.R. §1.10(c)  
Attorney Docket No. H0005335 :  
Title: HIGH RESPONSE, COMPACT :  
TURBOCHARGER :

This is a decision on the "Request for Corrected Filing Receipt," which is properly treated as a petition under 37 C.F.R. §1.10(c), filed January 26, 2004, requesting the according of a filing date of September 12, 2003 to application number 10/661,810.

The application was deposited on September 12, 2003. On December 10, 2003, the Office mailed the filing receipt which Petitioner has included with the instant petition, indicating that application number 10/661,810 had been accorded a filing date of September 13, 2003.

With the instant petition, Petitioner has included a copy of the Express Mail label number EV272827437US<sup>1</sup>.

Petitioner has alleged that the application was deposited on September 12, 2003, and the Patent Office has incorrectly assigned a filing date of September 13, 2003 to the instant application.

<sup>1</sup> The Utility Patent Application Transmittal sheet has been located in the electronic file, and it is noted that it contains this same Express Mail label number.

A check of the Office's USPS Express Mail Finder Database computer program was inconclusive. A check of the United States Postal Service's website (<http://www.usps.com/shipping/trackandconfirm.htm>) was also inconclusive, in that it stated that the information pertaining to this Express Mail label number is stored off-line. A copy of the latter search result is enclosed.

Although the application received a filing date of September 13, 2003, the evidence is convincing that the application papers were filed on September 12, 2003, and the Patent Office assigned the incorrect date to the application. Therefore, the application was entitled to a filing date of September 12, 2003.

Accordingly, the petition is **GRANTED**.

The application file is being returned to the Office of Initial Patent Examination for further processing with a filing date of September 12, 2003, as well as the mailing of a corrected filing receipt.

Receipt of the basic filing fee, the fee for independent claims in excess of three, a declaration, and the surcharge associated with the late filing of an oath or declaration is acknowledged.

Any inquiries related to this decision should be directed to the undersigned at (703) 305-0011.



Paul Shanowski  
Attorney  
Office of Petitions  
United States Patent and Trademark Office

Encl.